WASHINGTON

The Release of the Spanish Gunboats Probable.

Peace Declared Between the Spanish and Peruvian Ministers.

Call in the Senate for Information Regarding Cuba.

Passage of a Disability Removal Bill.

WASHINGTON, Dec. 8, 1869. Settlement of the Spanish Gunboat Question. The Spanish gunboat question is in course of setbeen detained by government on complaint of the Peruvian Minister, his representation being that they were designed to relieve other Spanish vessel which were to be employed in hostility against Feru. Hence the proceedings instituted to determine whether or not our neutrality laws were to be thus violated. But it s ascertained from an unofficial, but altogether reliable source, that the Spanish Minister to-day presented a paper to the Secretary of State denying premises of the Peruvian Minister, and giving the edge that the gunboats are not to be the means of carrying on a war with Peru, or any other nation with which the United States are at peace. This commu-nication was somewhat similar to that heretofore presented by the Peruvian Minister to remove the objections of Spain, the object of which was the release of the two monitors purchased in the United States for the Peruvian government. The Peruvian Minister, on receiving a copy of the paper, expressed himself satisfied with the explanation and assurance of the Spanish Minister. Therefore, the cause of the detention of the Spanish gun boats is removed. District Attorney Pierrepont has already or soon will be made acquainted with these diplomaile proceedings, and it is anticipated that his action in the premises will forthwith lead to a judicial order for a release of the gunboats, when they will be transferred by the contractor to the authorities of Spain. The Spanish Minister takes a view similar to that of the Peruvian Minister to Mr. Seward nearly two years since, namely, that the war between Spain and Peru and other South American republics long ago ceased, with no intention to renew the hostilities. This is the present condition of affairs, although not formally an-nounced in the communications between these government; but when the representatives of Spain. Peru, Chile, Bolivia and Ecuador assemble in Washington next January, in joint conference, it is confidently expected they will give emphasis to the fact that peace has been restored among them, with

a desire to cultivate the most friendly relations. Nominations Confirmed.

The Senate in executive session to-day confirmed the nominations of General Beiknap as Secretary of War, and of Mr. Robeson as Secretary of the Navy. All other nominations were referred to appropriat

Nominations Sent to the Senate. The following nominations for circuit judges were sent in to-day:-

First Circuit—George F. Shepley, of Maine.
Sec.nd Circuit—Lewis B. Woodruff, of New York.
Intid Circuit—William McKennan, of Pennsyl-

yania.

Fourth Circuit—George A. Pearie, of Marviand.

Foth Circuit—George H. Pearie, of Marviand.

Foth Circuit—William B. Wood, of Alabama.

Sirth Circuit—George H. Yeaman of Kentucky.

S vinth Circuit—Thomas Drummond, of Illinois.

Ninth Circuit—Lorenzo Sawyer, of California. The nomination of Circuit Judge for the Eighth between Ben Loan, of Missouri, and Judge Dillon.

The other nominations were of appointments made during the recess, and included thirty-seven to the Treasury, sixty-four to the navy, 129 to the War Department, eight to the Attorney General's office and one (John M. Marshall) to be first assistant postmaster general. Among the nom inations were Charles J. Folger, to be assistant treasurer, and George W. Palmer, appraiser at New York. Also the following in the Navy Department:—Augustus L. Case, to be chief of the bureau of ordnance Daniel Ammen, chief of the Bureau of Yards and Docks; Edward T. Duna, chief of the Bureau of Provisions and Clothing: W. M. Wood, chief of the Bureau of Medicine and Surgery.

The Vacant Supreme Judgeship. No nomination has yet been made for the vacancy on the bench of the Supreme Court of the United States. The choice undoubtedly lies between Attor-

gestions to be Carried Out. Governor Walker, of Virginia, was on the floor of the House and Senate to-day consulting about the admission of Virginia. He talked with nearly all found them favorably disposed to immediate held to-morrow, when the resolution relative to Welles radical lobby have signified their desire to be present and present some facts against the admis sion of the members elect. They will have little in fluence, however, as the committee, or a majority, are in favor of carrying out the suggestion of the

Questions.

There is a sharp contest going on between the Conmittee on Banking and Currency and the Commit-tee on Ways and Means about the reference of bills. General, Gardelu, chairman of the former committee sanxio us to have bills of a financial character refe red to I us committee, while Schenck is unwilling to surre ider the privilege which the Ways and Means has heretofore enjoyed, of not only devising plans to , take revenue, but of shaping the financia policy of ti te government. Gardeid fluos a poweriu ally in S. S. Cox, who is a member of his committee Cox is const antly on the lookout for the reference of financial bais , and thus far has succeeded in peating Schenck. So me of the Western men who are on posed to Gart 'est's financial theories have come to me aid of Sche bck; but they are not so well versed in the rules of the House as Cox, and hence ar outgeneralled.

Proposed Line . If American Mail Steamers to

China, via the Sucz Canal-Encouralement to Southern En veration.

Mr. Hill, of New Jersey, will introduce in the House to-morrow a tall to encourage the establish-ment of a line of ste waships, under the flag of the Union, for the conveyance of the mails of the United States to Eu topean ports and ports of India and China by way of the Snez Europe to the Souther B States of the Union and for reducing the ra es of ocean postage. The first section provides that for the purposes above Damed the Postmaster Ger Brai be authorized and directed to enter into conti acts with the Mediterranean and Oriental Steam Navigation Company of New York for the conveyance of mails of the United States from New York, Port Royal, Norfolk or Brunswick to ports of Europe, including Cadiz, Mar-Brunswick to ports of Europe, including Cadiz, Mar-scilles, Genoa and Trieste and Port Said, in Egypt. contracts are to be . or twenty years. The steamship company propose to carry mail matter at the rate of three cents for half ounce letters as soon as postal treaties can be concluded by the Postmaster General for lower rates of postage with foreign con atries. For the purpose of promoting emigration to the South the Legislature of any Southern State may, to aid the company in its operations, create a fund for its sole use and benefit, by depositing with the Post Office Department, in the name and on behalf of said company, the authorized bonds and securities of any such State, payable in not less than fifteen

years. These escurities are to be held by the Post office Department as security for the payment of the interest and bonds of the company. The company, in consideration of this, is to establish emigrant agencies in Europe and send emigrants t that out of the unappropriated public lands of the bern States the company shall have forty acres to give to each emigrant as an inducement for him to come to this country and settle, upon the payment by him of the appraised value of the land, payment

Termination of Indian Trentles-Congres

sional Legislation for Indians.

The House Committee on Indian Affairs had a neeting to-day and instructed their chairman to report a bill providing that hereafter no treaties shall be negotiated with the Indians under shall be negotiated with the Indians under any circumstances whatever. The bill provides that whatever legislation is necessary for the Indians shall come directly from Congress and that existing treaties shall be annulled as soon as possible. The bill was prepared by Sidney Clarke, chairman of the committee, and is understood to have the approval of the Senate Committee on Indian Affairs. It is generally conceded now among Congressmen that it would be better both for the government and the Indians if the treaty system was abolished and the Indians dealt with directly by

The New Census Bill-The Number of Representatives in Congress to be Increased. The Census Committee held a meeting to-day, revised their bill and finally agreed to make the num-ber of Representatives under the new apportionment 300. This was about the only change made in the bill as aiready reported. The committee is anxious to have their bill passed before the holidays, but it is doubtful if the discussion on it will terminats so soon. Most of the session to-day was taken up with general debate on the bill in Committee of the Whole, and only two speeches were delivered. In addition to nearly all the members of the committee several gentlemen have prepared speeches which they are anxious to deliver. When the bill comes to be considered, section by section, it is evident that several amendments will be offered, all of which will give

Coin in the Treasury.

The Secretary of the Treasury at present has on hand about \$71,000,000 coin, and the receipts from customs during the balance of this month are estimated at \$10,600,000, which will make a total of \$81,600,000. The weekly sales of gold, however, will reduce this amount \$6,000,000 or \$8,000,000. On the 31st inst. about \$32,000,000 will be required to pay the semi-annual instalment of the on the bonds of 1881 and the five-twenties falling due upon the 1st prox., which will leave a balance on hand of about \$44,000,000 or \$48,000,000

where questions arise as to ownership of animals in possession of the Indians, the commanding officer of the nearest military post is authorized and directed to act in conjunction with the Indian agent in charge of said Indians, in the investigation and determination of the question of such ownership.

Property Stolen by Indians.

By direction of the Secretary of War, in cases

Revenue Officer Murdered. The following telegram was received at the Internal Revenue Office to-day:—

SEDALIA, Mo., Dec. 8, 1869.
Deputy Marshal Moses was shot dead on the 4th
Instant by Felix Whiteworth, in Camden county.
Please instruct the Marshal to send a force immediately. MACK J. LEAMING, Assessor. Commissioner Delano has telegraphed to the As-

sessor for fuller particulars.

Illicit Distilleries in Tennessee. Collector James A. Galbraith, of the First Tennes-see district, reports to Commissioner Delano the destruction of several illicit stills in Jefferson county. This county is said to be infested with out mws engaged in violating the government revenue laws. The revenue authorities did not succeed in making any arrests, as their approach was heraided by parties in collusion with the outlaws, and the fincit distillers made haste to leave.

Release of a Military Prisoner. . An order has been issued from the War Depart-ment directing the release of Matthew D. Taylor, who was sentenced by a military court one year ago to four years' confinement in the Penitentiary at Hantsville, Texas.

Colored National Labor Convention. The National Labor Convention of colored people adopted a resolution to-day that the president and vice president of this Convention be a delegation to wait on the President of the United States and ter der the congratulations of this Convention on behalf of the colored laborers of the United States.

Report of the Director of the Mint. The report of the Director of the Mint gives the total coinage for the last fiscal year as follows:total comage for the last isseal year as follows:—
Gold. \$21,828,627
Silver. \$40,746
Nickel, copper and bronze. 1,279,055
The gold coined at Philadelphia was 3,178,637
At San Francisco 18,650,000
Silver at Philadelphia 443,745
At San Francisco 405,000
Nickel, copper and bronze at Philadelphia 1,279,055
Total number of pieces struck 34,669,168
The total deposits of gold buillion at the mint and

branches was \$31,463,249, of which \$16,794,496 was in unpasted bars and \$14,668,753 in refined bullion. \$17,711,393, of which \$8,343,151 was in unpas ted bars and \$9,364,236 in refined bullion.

FORTY-FIRST CONGRESS.

Second Session.

SENATE.

WASHINGTON, Dec. 8, 1869. STANDING COMMITTEES OF THE SENATE.

On motion of Mr. ANTHONY, (rep.) of R. I., th standing committees of the Senate were announced by the Clerk. The following Senators constitute the several committees named below, efter the altera-

several committees named below, after the alterations made this morning:—
On Foreign Relations—Messrs. Summer, Cameron, Harlan, Morion, Patterson, Schurz and Casserly.
On Appropriations—Messrs, Morrill of Me., Wilson, Cole, Sprague, Sawyer, Poole and Stockton.
On Navait Affair,—Messrs, Cragin, Anthony, Nye, Drake, Scott, Osborn and Stockton.
On Patents—Messrs, Willey, Ferry, Carpenter.
Norton and Hamilton.
On the Library—Messrs, Cattell, Howe and Morrill of Me.
To Audit and Control Contingent Expenses—

Audit and Control Contingent Expenses-rs. Ferry, Edmunds and Davis.

The other committees are without alteration. PETITIONS PRESENTED.

The following petitions were presented and re-

By Mr. EDMUNDS, (rep.) of Vt., petition of C. D. Boutwell, of Texas, setting forth that the petitioner had been a rebel and got sick of it, and now wanted to be relieved from all disabilities.

By Mr. Sumser, (rep.) of Mass., a petition of W.

dicating the dignity and sovereignty of the nation detailing the dignity and sovereightly of the nation, to suspend the workings of the French cable on American son until France authorized the landing of a cable from America on French soil, and guaranteed that all American despatches smould treely pass over France through the hands of American agents, Mr. Susheri remarked that there was now upon the table of the Senate a oil which met the prayer of the petitioner, and he proposed calling it up at an early day.

of the petitioner, and he proposed calling it up at an early day.

By Mr. HAMLIN, (rep.) of Mc.—A memorial from officers of the United States Navy representing that injustice had been done by special promotion over them of many of their juniors, in the service under the act of July 25, 1856, and praying Congress to redress the great wrong under which they believed themselves to suffer by restoring them to the positions to which they had been relatively entitled.

themselves to suffer by restoring them to the positions to which they had been relatively entitled.

Mr. Hantin said he had certain knowledge of the fects in some of the cases referred to, and had no doubt that simple justice demanded at the hands of Congress reparation for the wrong committed by reason of the act referred to. He asked the earnest and candid attention of the Committee on Naval Affairs to the subject.

Mr. Edwinds gave notice that on Friday he would ask for the consideration of the House resolution regulating the hours of labor of government laborers, workmen and mechanics. A resolution was passed at the last session in relation to the hours of labor without touching the matter of compensation. The Actorney General had given a decision on that law, but the heads of the departments had not executed he law in accordance with that decision. The law itself, he believed, was not satisfactory to the workmen, at least it was working no profit to them, but tended to demoralize every governmental institution in which laborers were employed.

RATIFICATION OF CONSTITUTIONAL AMENDMENTS.

Mr. WILLIAMS, (rep.) of Oregon, introduced a joint resolution relating to amendments to the constitution, providing that whenever satisfactory evidence is furnished to the Secretary of State that three-fourths of the Legislatures have ratified any proposed amendment to the constitution of the United

States, he shall forthwith proclaim the fact, of such ratification; and it it shall appear that \$U_{s0}\$ Legislature of a State has ratified an amending at proposed as aforesaid, any other action by the Legislature of that state as to such amendment \$80 \to 0 both and disregarded by the Secretary of State.

Mr. Williams moved the reference of the bill to the Committee on the Judiciary Land expressed the mope that it would receive \$\tag{2}\text{riy}\$ consideration, which, for obvious reasons, it deserved. It was so referred.

RICE TEST OATH.

Mr. SHERMAN, (rep.) of Ohio, introduced a bill to promote an international coinage, fixing the weight of the gold coin of five dollars at 124 9-20 troy grains, equivalent to a coin of twenty-five francs. Referred to the Committee on Pinance.

Mr. Carpenter, (rep.) of Wis., introduced a bill in relation to the rights of members of Congress, providing that nothing in any act of Congress shall regate be construed to prevent any member of Congress from practising as an attorney, solicitor or counsel in the prosecution or defence of any cause, claim or proceeding in any judicial court of the United States.

THE TEST OATH.

ciaim or proceeding in any judicial court of the United States.

THE TEST OATH.

Mr. Ferray (rep.), of Count, introduced a bill to repeal all laws requiring what was known as the administration of the test oath. He said that the proposition to remove the disabilities imposed under the fourteents amendment would fall short of the accomplanient of the object designed, unless accompanied by the repeal of the test oath. The necessity for legislation of this character, he believed, had now gone by. The policy of the removal of those disabilities was one which the experience of last summer, and the universal experience of all parties in the Southern States, had decided to be a policy that ought to be adopted by Congress, and as the republican party originally enacted those laws for the security of the government and the preservation of the life of the nation, so now, when the necessity had gone ov, it seemed to the speaker best that the same party should remove them.

The bill was then referred.

BRIDGING THE DELAWARE RIVER.

Mr. CATTRELL, (rep.) of N. J., introduced a bill giving the consent of the United States to the creation of a bridge across the belaware river between Philadelphia and Canden. Referred to Le Committee on Commerce.

BRIDGING THE DELAWARE CHAVER.

Mr. SUMMER offered a resolution calling upon the

commerce.

BOUNTIES TO COLORED SOLDIERS.

Mr. SUNNER offered a resolution calling upon the Committee on Military Affairs to consider whether any further legislation is needed to secure for all colored citizens who have served in the army of the United States complete equality with all other citizens in the enjoyment of the military bounty. He remarked that he had understood that a statute existed by which former slaves who had served in the army of the United States were excluded from the enjoyment of the military bounty. As it had been the object to give equal rights to all who served under our flag, he ask A the early attention of the Committee on Military Affairs to the complete accomplishment of that object.

THE CONDITION OF CUBA.

THE CONDITION OF CUBA.

Mr. CAMERON, (rep.) of Pa., offered the following

Resolved, That the President of the United States be re-quested to communicate to the Senate, if in his opinion it is not meompatible with the public interests, any information be may have in his possession with regard to the progress of the civil war in Cuba and the political condition of the island of Cuba. island of Cuba.

The resolution was adopted.

The resolution previously offered by Mr. Ramsev (rep.) of Minn., asking for information concerning the presence of Hon. William McDougall in Dacotan Territory, and the opposition of the inhabitants of Winnipeg to his assumption of the office of Governor was taken up.

mor was taken up.

Mr. Howard, (rep.) of Mich., said be thought the resolution unnecessary, masmuch as the interest of the United States were up the did it the local disturbance which had arrequent the Bed River country. The status of the Dominion of Canada. He had been informed that Mr. McDougali and received no appointment to exercise authority in the Red River country, but was string as a private citizen, though having received an assurance of inture appointment as Governor of that portion of Brilish America Known as the Red River country. Mart of the settlers on the northern border of Miniesta were, perhaps, greatly dissatisfied with some arrangement recenily made by which the Hudson Bay Company had sold out their interests; and one great object with them was the erection of a local government of their own to look after their own special interests. The difficulty was apparently of a purely local nature.

Mr. Ramsey said a portion of the people he represented enjoyed a considerable trade with the Red River country, and that the people of the latter locality were in a state of discontent and revolution. The United States was represented there by a collector of the revenue and other officials, and it seemed important that the exact condition of affairs there should be ascertained. Agreed to.

CANADIAN RECIPROCITY TREATY.

Mr. Thurman, (earn.) of Ohio, offered a resolution requesting the President to inform the Senate wasters rince the last session of Congress siny negotiations have taken place or been proposed between this government and the government of Great Britain or that of the bountion of Canada.

Mr. STANKER singgested the insertion of the usual clause, "if in the discretion if the President the miormation be consistent with the public meresis." The resolution is modified by the suggestion thus made was agreed to.

The resolution of the Recention of the supplication and of the lourteenth amendment, was taken up and agreed to.

Mr. STANKER inggested the insertion of the supplication of the little suppos

EXECUTIVE SESSION.

The Senate then resolved itself into executive session and soon after adjourned.

HOUSE OF REPRESENTATIVES.

WASHINGTON, Dec. 8, 1869.

SUNDING THE NATIONAL DEST. Mr. MORRELL, (rep.) of Pa., introduced a bill to fund the debt of the United States at a low rate of interest, to make the national banking system free, and for other purposes. Referred to the Committee of Ways and Means.

THE FIFTERNTH AMENDMENT.

Mr. PAINE, (rep.) of Wis., offered a resolution

Mr. PAINE, (rep.) of Wis., offered a resolution directing the Secretary of State Legislorum the House what State Legislatures had ratified the proposed fifteenth constitutional amendment. Adopted.

SYMPATHY WITH CURA.

Mr. Cons., (rep.) of N. C., asked leave to offer a resolution of sympathy with the cuban insurrection, but the general order of business was called for by Mr. Maynard. BILLS AND RESOLUTIONS,

Mr. Maybard.

RILLS AND RESOLUTIONS.

Mr. PALMER, (rep.) of lows, introduced a bill to authorize the Burlington and Missouri River Railroad Company, or its assigns, to change the established route in Nebraska. Referred to the Pacine Railroad Committee.

Mr. Lawersce, (rep.) of Onio, offered a resolution directing the Committee on Public Lands to inquire into the expediency of amending the Homestead law so as to authorize ex-solities and seamen of the United States to receive 150 acres of land instead of eighty acres, as now authorized for a homestead, out of the niternate sections of and embraced in railroad and other grants owned by the government. Adopted.

diopted.

Mr. Davis, (rep.) of N. Y., introduced a bill to be dates on coal. Referred to the Commit-Mr. DAVIS, (rep.) of N. 1., introduced a onit to abolish the duties on coal. Referred to the Commit-tee of Ways and Means.

Mr. BUFFINGTON, (rep.) of Mass., offered a resolu-tion directing the Secretary of War to transmit re-ports relative to the protection and improvement of Plymouth harbor, Mass. Adopted.

Several bills for the removal of political disabili-ties were introduced and referred to the Committee on Reconstruction.

ties were introduced and referred to the Committee on Reconstruction.

Mr. Sargent, (rep.) of Cal., introduced a bill to procure and disseminate information of the extent of the cereal and other crops of toreign countries. Referred to the Committee on Agriculture.

The bill requires American Consuls residing in countries which raise cereal or other crops that come in competition with American products in the markets of the world to furnish quarterly statements of the candition of the crops to the State the Commissioner of Agriculture, we required to put them in a condensed in his monthly circular, corrected by any rate information in his possession. The only in the bill is to furnish lightcranton to farmers to

ble them to sell or hold their crops in view of foreign markets, must of the information now obtainable being drawn from English sources and colored by the necessities of that country. Other bills were introduced and referred as fol-lows:—

ows:—
By dr. Sprickland, (rep.) of Mich.—Extending the
Portage Lake and Like Superior Railroad to Kewee-

Portugo Lake and Like superior Railroad L. Rewes-law Bay, Michigan
By Mr. Finner, Sproposing a periodical reduction
of ten per ceal.
By Mr. Cavanaugi, (dem.) of Montana—To provice for the election of certain Territorial officers by
the people. the people.

By Mr. Mungen, (dem.) of Onio—To exempt from

axation the property of example and sallors of the United States to the same extent as the property of bondholders. By Mr. O'NEILL, (rep.) of Pa.—Por the restoration of Capitain Dominick Lynch to the active list of the navy.

By Mr. O'ARILL (rep.) of Pa.—For the restoration of Capual Dominic Lynch to the active list of the navy.

By Mr. McCrary (rep.) of lowa—To amend the act for the consolidation of the United States statutes.

ASSIGNMENT OF MEMBERS TO COMMITTEES.

The SPEAKER made a proposition to the House in reference to the assignment to committees of the several recently asimisted members. At present it was not in his power to assign those gentlemen to committees and he suggested that he be authorized to assign them as tenth members to such committees as he might deem desirable.

Mr. BHOOKS, (dem.) of N. Y., objecting to that resolution and suggestion, expressed the hope that the Speaker would improve the opportunity by adding a democratic member to the Committee on Ruess.

Mr. FARNSWORTH, (rep.) of Ill., suggested that the matter be referred to the Committee on Rues.

Mr. SCHENCK, (rep.) of Onlo, did not favor that suggestion, because it would be and to cause delay and would look to something like a permanent arrangement instead of a temporary one.

Mr. FARNSWORTH did not wish to be understood as objecting to the Speaker's proposition, but he reminded the House that there were a great many of the committees of the House that were obsolete, except on paper, that never met and had no place of meeting, and he thought it better that the Whole singlest of committees singuid be revised by the Committee on Ruies.

Mr. Walkerk, (rep.) of Ohlo, offered a resolution, giving the Speaker the authority suggested.

subject of committees should be revised by the Committee on Rules,

Mr. Walker, (rep.) of Ohlo, offered a resolution, giving the Speaker the authority suggested.

Mr. Dawis, (rep.) of Mass., Invored referring the whole matter to the Committee on Rules. It did not seem to him quite right to leave the matter so entirely to the Speaker. It was a delicate matter, and he supposed the speaker himself would prefer to have it arranged by the Committee on Rules.

The Speaker said he had no desire in the matter at all other than what might be indicated by the House.

Mr. Eldridge, (dem.) of Wis., suggested that the dimedity might be obviated by the resignation of the members of the committee who are now serving on more than one.

Mr. Birsjamis, (rep.) of Mo., thought the whole matter premature until after the admission of the virginia, Mississippi and Texas members.

Finally the subject was referred to the Committee on Rules.

Virginia, Mississippi and Texas members.

Finally the suoject was referred to the Committee on Rules.

Mr. Brooks presented a petition from the employes of Phinney, Bukeman & Co., of New York, in favor of the Jenekes Civit Service bill.

Mr. Krissy, (rep.) of N. Y., presented a petition of Pierrepont Seymour, of East Rioomield, Ontario county, N. Y., for a renewal of his patent for an improvement in Seed planters of grain drills.

The House In Committee of the Whole.

The House then went into Committee of the Whole, Mr. Dawes in the chair, and proceeded to a consideration of the bill to provide for taking the minth census, to fix the number of members of the House of Representatives and to provide for their future apportionment among the several States.

Mr. STOKES, (rep.) of tean., chairman of the Census Committee, which sat during the recess, and said he would leave the management and engineering of the bill to the chairman of that sub-committee, Mr. Garcied, of Olio.

Mr. Garriello, (rep.) of Obio, proceeded to state succincilly the points of the bill and the machinery devised in it. for taking the census, explaining waccein and why it differed from that by which the census of 1800 was taken.

In reply to questions put by Mr. Butler, of Mass., Mr. Clark, of Kan., and others, in regard to the representation in Congress, Mr. Garriello said the present organization or numbering of the House begin on the 4th of March, 1853, and manifestly it will am until the same day in March, 1873. The census to be taken next June ought, of course, to be completed, so far as the taking is concerned, by the list of July. We shall not know until next all what the basis of representation will be, and, as a matter of course, no redistricting of States can be made dittil after that, the committee agreed this morning to fill up the bank for the number of members with 300.

infinite that. The committee agreed has morning to fill up the bank for the number of members with 300.

In reterence to the information to be obtained from rainroad companies, Mr. Gardield remarked that now that the negro question had been got ria of, the next great fight would be with these great corporations, and Congress should at least know what they were doing with the national wealth in their nands.

In reply to a question by Mr. Peters he stated that with the whole number of members fixed at 300 no State would suffer the loss of a member, but with 15th fixed as the number the or three of the New England States would suffer.

Mr. BUTLER, of Mass., inquired whether any arrangement was made in the bill for obtaining telegraph statistics?

Mr. CARPIKED replied that there was not, except as regarding the telegraph connected with railroads. The committee had prepared an additional senemin for that purpose and had it ready to offer in case the House desired it; but the committee had become alarmed at the size of the schedule and had before a fixed the subject, dwelling on the importance of a full and complete census, embracing property and income. He thought it time to ask whether classes were not being favored in this country, and whether our system of income, that and income, the mosting sores on the body politic. With that idea he would, as the proper time, propose an additional column in the proper sended to discuss and consider the bull by sections.

Mr. McMers moved to amend the third section by Mr. McMers moved to amend the third section by

The committee then proceeded to discuss and consider the bill by sections.

Mr. McNors moved to amend the third section by limiting the term of service of all census employes to two years instead of three. Rejected.

Mr. Davis moved to amend the same point by insering the words "and whenever their services should cease to be required," Adopted.

After progressing as far as the fourth section of the bill the committee rose, and the House at three o'clock adjourned.

UNITED STATES SUPREME COURT.

Constitutionality of the Cotton Tax of 1866.

No. 38. William M. Farrington, Plainiff in Error, vs. Roje S. Saunders. Error to the Circuit Court for the District of West Tunnessee,-The Court for the District of West Tunnesses.—The plaintiff in error was the owner of 150 bales of cotton on which the tax of three cents per pound, imposed by the internal revenue act of July, 1866, was laid. He refused to pay the tax, but finally did so, under protest, in accordance with the practice in such cases under the customs revenue laws, to save the seizure of the cotton; and this suit was to recover back the sum paid, the plaintiff alleging that the tax is a violation of those provilaying of capitation or other direct taxes, unless in proportion to the census, and the laving of duties below was in layor of the government, and write of error was taken to this court, where it was now heard. The plaintiff in error maintains that by the established law, as derived from the constitution, a tax on lands and houses and a capitation tax are direct. Taxes on sneedile articles of consumption or expense are indirect, and that an ad valorem tax on personal property, without reference to consumption, is of the same character as an ad valorem tax on land, both being direct. These conclusions are arrived at after an elaborate examination of the subject of taxation, and they are submitted to the court as sufficient to show that the tax in question, levied as it is directly upon production, without reference to its use or consumption, is, in its nature, a direct tax, which can be levied only by the rule of apportionment. On the other branch of the argument it is insisted that cotton is an article produced for exportation; and cotton statistics are quoted to show the fact. From 1820 to 1864 three-fourths of five-sixths of the cotton raised in the United States was exported; and in the years 1865, 1866 and 1867 the exports were two thirds to three-fourths. For the year ending June 30, 1867, 667,137,376 pounds, of the value of \$292,807,910, were exported. Of the portion not exported from the United States it is asserted as a known fact that but an insignicant fraction is consumed in the States where the cotton is produced, the great bulk of it being exported to other states in the Union. It is contempted that this is a legislative declaration that contempted that this is a legislative declaration that contempt for its imposed of the grant fraction must be applied to this restriction imposed on the States. While the former is prohibited from laying any tax or duty on articles exported, the latter are prohibited from laying any imposts or duty on imposed opon the federal government, as have uniformly been to the like restriction imposed on the states. While the former is prohibited from laying any tax or duty on being neither a tax on land, nor a tax on slaves, or other capitation tax. The case of Hylton vs. The United States (3 Dall., 171) is cited as an authority as to the notion of a direct tax, in which it was beid that a direct tax includes only

such a tax as in its nature capable of apportionment, without creating great inequality and injustice in the application. This tax on cotton is not capable of apportionment among the Saties, as required in the case of direct taxation, nor is it in any respect a tax on land, but a strictly and properly a duly laid upon a specific commodity or article of consumption. Nor is this a tax on exports, because it is laid alike on all cotton, whether exported or not, and without regard to exportation. Articles exported from any State within the meaning of the constitution are articles exported from any State to foreign countries. The distinction between an export duty and an excise is that in the one case the tax can only attach upon the happening of a particular event—to wit, the exportation of the article on which it is laid—white in the other the tax may attach to the article generally and irrespective of the hatpening of such an event. Where a tax of the latter description is laid upon a commodity, whether grown or manufactured, while in the hands of the producer or manufactured, while in the hands of the producer or manufactured, and without regard to its future destination, its character certainly does not become changed into a tax of the former description by the mere fact that a part, or even the whole, of the article thus taxed is afterwards entered of the producer or manufactured, while in the Bands of the producer or manufacturer, and without regard to its future destination, its character certainly does not become changed into a tax of the former description by the mere fact that a pact, or even the whole, of the article thus taxed is afterwards entered for export to a foreign country. That would make the legality of the tax depend not upon the chroumstances to which it was adopted by the Legislature, and which existed at the time of its collection, but upon those subsequently transpiring at the mere will of individuals. In other words the law imposing the taxes, though perfectly valid when it took effect upon the article taxed, would be rendered void by events happening after its purpose has been fully accomplished and its operation in reference to the article had altogether cassed. The principle, if admitted, would remiter of little avail all excise taxistion upon articles of commerce. A state cannot tax imports in the hands of the importer, but can tax merchandise imported after it has passed out of the hands of the imported after it has passed out of the hands of the imported, of the importer, but can tax merchandise imported after it has passed out of the hands of the imported, of it is an anion after the packages are orosen. On the same principe, Congress can tax, as a commodity, merchandise in the hands of the producer, which may afterwards be exported, the tax being laid upon the production and not upon any person who may export any part of it, and in consequence of succexportation. The fact that more than half the cotton produced in the country is exported to a foreign country has nothing to do with the constitutionally of the law. If Congress cannot depend upon the state of trade; and it congress cannot depend upon the state of trade; and it congress cannot depend upon the state of trade; and it congress cannot depend upon the state of trade; and it congress cannot deconstitutionally for an act of Congress cannot depend upon the state of trade

suces, no test than new americal oriers being face. P. Phillips, Albert Pike, R. W. Johnson, M. I. Sharkey, James Hughes and R. Toff for plantial in error. E. R. Hoar, Attorney General, and W. A. Fleid, Assistant Attorney General, for the govern

ment.

E. D. Wheeler, of San Francisco; William T, Wallace, of San José, Cat.; Robiason Toff, of Memphis, Tenn.; Eugene M. Wilson, of Minneapolis, Minn.; Albert Todd, of St. Louis, Mo., and C. F. Shuw, of New York city, were admitted to the bar of the Supreme Court.

THE CIRCUIT JUDGES.

We give below brief sketches of the Circuit Judges appointed by President Grant, and whose names were sent to the Senate yesterday for confirmation:-GEORGE P. SHEPLEY, OF MAINE.

With the career of this gentleman, who has been appointed Judge of the First Circuit, the public is juite familiar. He was born in Saco, Me., on January 1, 1819, received a good education and graduated in 1837 from Dartmouth College. subsequentily studied at the Harvard Law School, and after his admission to the bar moved to Bangor, where he commenced the practice of his protession. On the accession of Polk to the Presidency, Mr. Shepley was appointed United States District Attorney in Maine, holding that office until Mr. Lincoln's installation, when a republican successor was appointed. At the outbreak of the rebellion he offered his services to the State and volunteers. In command of this regiment he accompanied General Butler in his against New Orleans, commanding a brigade during the greater part of the campaign, and becoming commandant of the post after the fail of the Crescent City. Later in the year he was commissioned a brigadier general, and was subsequently appointed Military Governor of Louisiana, which position he beld until 1884, when he gave way to Michael Holm, who had been previously elected to the office. He was next sent to Norfolk as Military Governor, and after the fall of Richmond held the same position in that city. With the close of the war General Shepley returned from the service, and late in the year was appointed one of the Justices of the Supreme Court of Maine, of which his father was once Chief Justice. The General bears the reputation of a lawyer of decided ability. against New Orleans, commanding a brigade ability.

ability.

The Judgeship of the Second Circit has been conferred upon Mr. Woodfulf, who is widely known as one of the present judges of the New York Court of Appeals. He is a native of Litchfield, Conn., which district his brother. George C. Woodruff, represented in the Thirty-seventh Conferes. Mr. Woodruff moved to this city when quite a young man and commenced practice as the partner of George Wood, the eminent lawyer. He became prominent in his profession, and in 1849 was elevated, by election, to the office of Judge of the Court of Common Pleas, serving six years. At the elevated, by election, to the office of Judge of the court of Common Pleas, serving six years. At the close of his term he was elected Judge of the Superior Court of New York, holding that position until 1863, when he returned to the bar and achieved great success in the renewed practice of the law, appearing in nearly all of the most noteworthy cases. In 1865 Mr. Woodruff was a candidate for a Judgeship of the Supreme Court, but was defeated by D. P. Ingraham. Subsequently he was elevated to the bench of the New York Court of Appeals for the term ending on the 1st uit. At the recent election in this State he was the republican candidate for the short term, but was defeated by Robert Earl. Mr. Woodruff married a daughter of tale late Chief Justice Hornolower, of New Jersey. As a member of the New York boar he is regarded one of the ablest lawyers in the State, a man of decided taients and inflexible in his integrity.

WILLIAM N'AKENAN, OF PENNSYLVANIA.

Mr. McKennan, appointed to the Third Circuit Judgeship, is a resident of Washington, Pa., where he is the recognized head of his county bar. Although repeatedly offered to represent his party in Congress or to accept the office of judge of his district, he has hitherto resisted all efforts. President Grant first made his acquaintance at the marriage of W. W. Smith, a consin of Mrs. Grant, to a daughter of Mr. McKennan, It will be remembered that his name was spoken of last spring in connection with a place in the Cabinet.

The only facts known of Mr. Wood's career is that Court of Common Pleas, serving six years

that his name was spoken of last spring in connection with a place in the Cabinet.

W. B. WOOD, OF ALABAMA.

The only facts known of Mr. Wood's career is that he is a lawyer of Alabama and served in the Confederate army as colonel of the Fifteenth regiment of Alabama Volunteers. After the close of the war he supported the Congressional plan of reconstruction, and is now in full fellowship with the republican party. Mr. Wood has been appointed Judge of the Fifth Circuit.

GEORGE B. VEAMAN, OF KENTUCKY.

To the Sixth Circuit Mr. Yeanuan has been appointed Judge. He was born in Kentucky on the list of November, 1829, received a good education, studied law and achieved brilliant success at the bar. From 1854 to 1858 he was Judge of Daviess county, where he has always resided. In

at the bar. From 1864 to 1858 he was Judge of Daviess county, where he has always resided. In 1861 he was elected to the Kentucky Legislature, and during the following year added in raising a regiment of volunteers for the Union army. Upon the resignation of J. S. Jackson he was elected his successor as Representative to the Thirty-seventh Congress, and was re-elected to the Thirty-eighth. In 1865 Mr. Yeaman was appointed Minister Resident to Denmark.

The French Benevolent Society, for which Father Hyacinthe lectures to-night at the Academy of Music, is devoted entirely to aiding natives of France. It originated in this city in 1809 and was incorporated in 1819. The present president is Mr. Frederic R. Coudert. It has no building for the accommodation of inmates, but keeps an office at 37 Houston street, where its charities are dispensed two days in each week to the extent of about \$6,000 37 Houston street, where its charities are dispensed two days in each week to take extent of about \$5,000 a year. The recipients are chiefly old women. Among the few men who regularly receive its bounty is an old soldier of Napoleon, who was with him in the disastrous Russian campaign. The pensioners receive from three dollars to six dollars a month in cash and orders upon bakers and coal dealers. No salaries are paid to officials. At services are voluntary. The committee consists of twenty members, who are often called upon by their countrymen in distress on days when the office is closed. The society has \$22,000 invested in mortgages, and the interest, with annual subscriptions of live to fifty dollars, complete the sum necessary for its purposes. Passages of destitute French poople to France are often paid by the society.

When Father Hyacinthe agreed to speak at the Academy the committee decided to place the price of parquet and dress circle, reserved seats, at ten dollars; those not reserved, including the seats of the second tier, were to be five dollars, and the family circle and gallery, one dollar. They fully expected to fill the house on those terms. A speculator offered them \$10,000 net for the receipts. The lecturer, hovever, would not allow any higher terms than two dollars for reserved easts and one dollar.

Young America on Skates-Inauguration of the Gay and Festive Season on Ice-The Rinks in New York and Whitamsburg. Several hundred devoted skaters eagerly welcomed the inauguration of the skating season yes-terday afternoon, at McMillian's Fifth Avenue Ring, corner of Forty-sixth street. This rink, which is a roofless enclosure, covers half the block between Fifth and Madison avenues, and has one great advantage in being close to the centre of a very lashionable neighborhood. The ice yesterday was about four inches thick and straight and level as a billiard table. The arrangements made by McMillian were not quite complete, but when they are there will be little to desire and nothing to apprehend but overcrowding. A night of steps leads down from the sidewalk on Forty-sixth street to a long, low wooden structure stretching across one end of the rink. The visitor having paid his admission fee at a small semt-circu-lar aperture outside the entrance, passes into an ample room warmed by a stove, where skates are procured and put on and cumbrous clotning is taken charge of. A bar for refreshments stands in one corner, where mild beverages only will be provided. A partition divides this room from another of equal size, which is intended to be used by the New York Skating Club. When the floor is laid with matting the walls papered and pictured and a stove of reasonable size introduced it will make a comfortable and handsome headquarters. A pand of music num bering eleven pieces was present yesterday, and blew of some pretty airs in very good style. and blew off some pretty airs in very good style. "Sweet Spirit, Hear My Prayer," appeared to be a spiendid measure of music for the skaters, its long swelling notes harmonizing admirably with the gracefully sweeping curves performed on the shites. The rink is surrounded by a low raining, over which lolks can lean and watch the movements of the people on the ice. At night it will be it by a chain of imps extending around the lour sides and piaced midway between the surface of the rink and the sidewalks. United to the street lamps, which are tolerably numerous in the vicinity, there will be an abundance of light cast across the frozen floor. Being open numerous in the vicinity, there will be an abundance of light cast across the frozen floor. Being open to Fifth avenue the rink maturally draws the attention of crowds that roll past to the Park, and yesterday being the opening day a great many persons stopped to look and watch the skifful phroughting of some of the lady skaters. The class of persons who may be expected to patronize this place of amusement will be of an arcstocratic stripe if there be not a recting of fastidious aversion to skating in such an exposed public situation. Judging by the display of handsome winter toucts and beautiful faces flying hither and thither on the toe yesterday afternoon it is fair to expect some very actractive gatherings occasionally through the winter.

SKATING IN WILLIAMSEURG.

OVER THE ICE.

nying hither and tinither on the ice yesterday afternoon it is fair to expect some very altractive gatherings occasionally through the winter.

Cammeyer's Union Fond, in williamsburg, was opened yesterday under very encouraging auspices. This pond is about the finest anywhere near New York. Its frozen surface spreads over six and a half acres, giving room for all the small boys of a large city to disport themse ves skatorially. In the summer this ground is devoied to the maily game of base ball, and thousands of men and madeins sit for hours watching with deligated attention the solftling fortunes of the play, the skill of the boy at the bat or the wonnerful deciness shown in a successful home run. In the winter it undergoes a transformation, but it does not lose its character as a place of public amusement. Instead of a sportive youth being sent to grass by a blow of a base ball in the tender part of the shin, he is dropped in a lively way on an ice floor four or six inces thick because of knocking unceremoniously against somebody else. There were a few hundred persons on the link yesterday, but there was room for about ten times as many more. Everything is in readthess for the season. The rooms for skaters are all newly fitted up and accommodation provided for an immense number. There is a shop on the premises for making ready and repairing skating tools. Over 200 lamps will be strung around the sides. In the centre of the rink a circular glass frame, mounted on a pole, will contain a fight whice will throw its effugent beams a considerable distance all round. When the nights are dry and dark nit the lamps will be laken in preference to kerosone, as being much more romainte and congeniat to the soils of loving couples on skates. Folks from New York on landing at South Seventh street may ride or trudge from ciwelve blocks straight out from the ferry, and they catch sight of two high poles, with naif a dozen landing at South Seventh street may ride or trudge from ciwelve blocks straight out from the ferry, and

JUSTICE MOCKED.

The Convict Mart Allen Still in the City-Writ of Error Issued by Judge Cardozo it His Case.

On the 27th of last month, at eleven o'clock at night, City Judge Gunning S. Bedford, Jr., sentenced the notorious panel thief Mart Alien, the well known leader of the Eighth ward gang, to five years' imprisonment in the State Prison. The crima for which the ruffian was tried and condemned was robbery by the extra contemptible "panei" game. The defence was persistent, and the jury found much difficulty in agreeing to a verdict. Indeed, it was rumored in the court room on that even-ing that a "friend of the family" of the Allene, who, curiously enough, happened to be one of the jury, refused to hear anything or see anything in the case against the jeopardized Mart; and it is said so confident were his friends of acquittal that they offered bets of \$500 to one dollar that he would not be convicted. The Judge expressed satisfaction with the verdict of guilty which was finally returned by the jury, and paid no attention whatever to the pressure of certain ward politicians who sought to save from his just doom their prisoner, said:-". do not see any palliating circum stances in your case, and therefore deem it simply my official duty to mete the severest penalty." at

then impressively pronounced the sentence. The verdict gave great public satisfaction and produced an excellent effect on the large class of thieves of which Mart Allen was the acknowledged head. The people had not forgotten that through the influence of will politicians, themselves liable criminal indictinent, certain persons who we fairly tried, convicted and sentenced for the highe crime known to the law were waiking the streets. larly tried, convicted and sentenced for the highest crime known to the law were waising the streets in perfect freedom, while a large number of others who had committed offences that merited severe punisament, were never brought to trial. But the firmness, energy and ability displayed by Cuty Judge Bediord on the bench of the General Sessions hospired the hope that henceforward the transgressors of the law would receive fitting punishment and that justice would not be mooked during his term of office. Unformately, however, for the popular wish, the City Judge's duty ends when he sentences a prisoner. The induences which were attempted to be exercised on the City Judge during the trial of Mart Allen, and which he indignantly repelled, do not appear to have failed of effect in other quarters.

The public will be sistenished—if, indeed, it can be astonished at anything done by New York politicalus—that Mart Allen is not at work in Sing Sing Prison, doing the State some service for his many crimes and misdemeanors, out is in the quiet enjoyment of his oftion cum dig. In the City Prison, awaiting with calm confidence the time when some fresher crime and newer estimate with absorb public attendon. It is not very likely that he will have long to wait, and then his well posted counsel will easily becas-pocus him out to his light-linged confederates.

eachy access poess and out to his ingli-ingest confederates.

It will be remembered that Allen's counsel attempted to obtain an arrest of judgment after the rendering of the verdict, out that Judge Bedford promptly refused. The case was clear against the prisoner, and it was impossible to see any extennating circumstances. Badfed for the time being, the prisoner's counsel determined on taking other means of securing the release of the convict, and he succeeded. The convict was given over to the sheriff, who was responsible for his safe keeping until he was securicy piacod inselect the gates of Sing Sing. It was also the duty of the Sheriff to see that fhe convict was sent in charge of his deputies to the State Prison as soon as possible after the rendition of the sentence. But as it is customary for the Sheriff to put prisoners in the forms for safe keeping until the deputies are ready to take them to their designated place of imprisonment Mart Allen was conveyed from the Court of General Sessions and safely locked up for the night within the granite walls of the City Prison. This was on saturday night, and it could scarcely be expected of the Sheriff's deputies to go up the river with the convict on that day; but Monday was very fine and bright, and it would not have injured the delicate fellows in the least if they took the train for Sing Sing with the much commiserated Allen. But the Sheriff did not see it and so they did not. That somebody saw and believed there can be no doubt, but who was "seen" is another matter, Allendid not go to Sing Sing, and in all probability with not. His counse its very adroit, and the Allen family are not very poor.

No preparation was made to take Allen to Sing Sing on Monday morning, and the explanation was found to be in the shape of a "writ of error and a stay of proceedings" in his case issued by Judge Cardozo, of the Supreme Court of the Suate of New York, which was duly served on the Keeper of the City Prison. This extraordinary conduct was make known to a few only, and t federates,
It will be remembered that Allen's counsel attempted to obtain an arrest of judgment after the

RESCUED FROM DROWNING.

Charles McGover, residing in Rousion street, near Varick street, fell overboard at the foot of Perry street, last night, and was rescued by some boatmen. He was taken to the Ninth precinct station house by officer Palmer and properly carea for,